

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

HERMENEGILDO BOSQUES ROMAN
BELEN ORTEGA CORTES

DEBTORS

CASE NO 15-04991 ESL

CHAPTER 13

DEBTORS' MOTION REQUESTING AUTHORITY TO INCUR IN CREDIT

TO THE HONORABLE COURT:

NOW COME, **HERMENEGILDO BOSQUES ROMAN** and **BELEN ORTEGA CORTES**, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state, pray and request as follows:

1. On June 30, 2015, the Debtors filed the above captioned bankruptcy case under Chapter 13, 11 USC §§1301 *et. seq.* An ORDER confirming the Debtors' proposed Plan (dated 8/18/2015, Docket No. 17) was entered on September 28, 2015, docket no. 23.

2. The Debtors are making current confirmed Plan payments of \$160.00 to the Chapter 13 Trustee.

3. Due to the passage of hurricane Maria through Puerto Rico, the Debtors' residential real property and their personal property suffered severe damages. The Debtors applied for and obtained approval of, a FEMA Puerto Rico (Federal Emergency Management Agency) and Small Business Administration ("SBA"), disaster loan in order to rehabilitate and/or replace the Debtors' property.

4. On August 02, 2018, SBA/FEMA, approved the Debtors' disaster application and requested [SBA/FEMA] the Debtors to obtain written authorization from this Honorable Court to incur the debtor obligation created by the aforesated loan.

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5. The Debtors have been approved for a disaster loan for the sum of \$9,100.00 for which they will pay monthly installments of \$62.00, for one hundred sixty-nine (169) months years, at an interest rate of 1.750% per annum (finance charge for the life of the loan is \$1,378.00). A copy of the present motion requesting authorization and a copy of the Loan Authorization and Agreement (SBA Form 1391) is being sent to the Trustee for his review, on this same date, August 13, 2018.

6. The Debtors are current in the confirmed Plan payments to the Trustee and respectfully understand that they have the financial ability to incur in the above described disaster loan with SBA/FEMA, to pay the \$62.00 per month, thus, the Debtors respectfully request that the Court grant authorization to incur in the aforesated post-petition credit, allowing the Debtors to continue with the loan closing process.

7. The Debtors hereby respectfully request authorization from the Court to:

- a. incur in a post-petition loan in the sum of \$9,100.00 solely for the purpose to rehabilitate or replace property lost in the September/2018 hurricane Maria disaster.

8. Based on the aforementioned, the Debtors respectfully request this motion be granted and the Court enter an Order allowing the Debtors to incur in the post-petition loan as herein described. 11 U.S.C. Section 364; Rule 4001 (c) of the Federal Rules of Bankruptcy Procedure.

WHEREFORE, the Debtors respectfully request this Honorable Court grant the present motion authorizing the Debtors' request to incur in post-petition credit, as herein submitted.

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NOTICE: Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF filing system which will send notice of same to the Chapter 13 Trustee and all system participants; I also certify that a copy of this motion was sent via US Mail to the Debtors; and to all creditors and parties in interest (CM/ECF non-participants) appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 13th day of August, 2018.

/s/Roberto Figueroa Carrasquillo
USDC #203624
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
ATTORNEY FOR the DEBTORS
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Label Matrix for local noticing
0104-3
Case 15-04991-ESL13
District of Puerto Rico
Old San Juan
Mon Aug 13 11:09:06 AST 2018

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

COOP AC CAGUAS
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EASTERN AMERICA INSURANCE CO
PO BOX 9023862
SAN JUAN PR 00902-3862

Multinational Life Insurance Company
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San Juan, PR 00936-6107

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TD Retail Card Services
Account #: 0006006101002239330
PO Box 11956
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TD Retail Card Services
Account #:0007030017000301544
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Depto De Transportacion Y Obras Publicas
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Island Finance/Santander Financial Serv
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PREFERRED CREDIT INC
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Synch/Walmart
PO Box 530927
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TD Retail Card Services
Account #: 000882281066022959
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Newark, NJ 07101-4956

TD Retail Card Services
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Quantum3 Group LLC as agent for
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Miami, FL 33102-8102

Caribbean Finance Retail Services
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Dsnb Macys
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Yard Card
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ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Zales Credit Plan
PO Box 183015
Columbus, OH 43218-3015

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Coop A/C Caguas
PO Box 1252
Caguas, PR 00726-1252

(d)Quantum3 Group LLC as agent for
Sadino Funding LLC
PO Box 788
Kirkland, WA 98083-0788

End of Label Matrix	
Mailable recipients	36
Bypassed recipients	2
Total	38